

Stephen R. Cochell
Cochell Law Firm P.C.
5850 San Felipe Ste 500
Houston Texas 77057
(346)800-3500
srcochell@gmail.com
Admitted Pro Hac Vice

Allan Grant (SBN#213658)
Grant's Law Firm
17351 Greentree Drive
Riverside, California 92503-6762
Telephone (888)937-7555
Facsimile (866)858-6637

Attorneys for Defendant
Jason Edward Thomas Cardiff

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

UNITED STATES OF AMERICA,)	Case No.: 5:23-CR-00021-JGB
Plaintiff,)	
vs.)	
JASON EDWARD THOMAS CARDIFF,)	
Defendant.)	

**DECLARATION OF STEPHEN R. COCHELL IN SUPPORT OF EX PARTE MOTION
FOR CONTINUANCE OF TRIAL DATE**

I, Stephen R. Cochell, declare as follows:

1. I am a partner and owner of Cochell Law Firm, PC, attorneys of record for Defendant Jason Edward Thomas Cardiff. I have personal

1 knowledge of the facts set forth herein. If called as a witness, I could and
2 would competently testify to the matters stated herein. I make this declaration
3 based in support of Defendant Jason Cardiff's Ex Parte Application of Motion
4 for Continuance of Trial Date.

5 2. I adopt and verify the Statement of Facts and arguments set out in the
6 Ex Parte Application for Continuance of Trial Date.

7 3. I entered an appearance in this matter after the Larson Firm
8 withdrew from Mr. Cardiff's representation in August, 2024. At the time, I had a
9 number of cases that I believed would be resolved or could be managed to
10 undertake this case. For example, I represented Maintenance of Way Equipment
11 Services ("MOWES") in a matter against a former office manager involving trade
12 secrets and corporate opportunities starting before I was asked to represent Mr.
13 Cardiff. I have represented MOWES for four years in a number of lawsuits and
14 other matters. The case ripened into litigation which required that I file a lawsuit
15 and request for injunctive relief on September 30, 2024. Injunctive relief was
16 granted, expedited discovery taken and the case resolved in early November,
17 2024.

18 4. I did support some of the effort by the Larson Firm to prepare the
19 Motion to Dismiss Indictment, but was not involved in document review or trial
20 preparation.

21 5. I received discovery materials from the Larson Firm shortly after
22 being admitted pro hac vice to this case. I also received from the Government, by
23 Manu Sebastian, DOJ sent a letter dated April 18, 2024 providing a
24 "Comprehensive Production Index as of April 18, 2024" describing the
25 Government's production of documents included a group of documents entitled
26 "GOV_MOI" which contained government memoranda of interviews and other
27 "Agent Materials." These include "MTF" (Memorandum to File) and "MTA"
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1 (Memorandum of Activity). I have reviewed the following documents MTF and
2 MTA which are witness interviews, agent materials and related documents:

- 3 • GOV_MOI 1-1076:
- 4 • GOV_MOI 1077-1553;
- 5 • GOV_MOI 1554-1801.

6 6. After being admitted pro hac vice, I prepared a Motion to Dismiss
7 pursuant to *Dubin v. United States* and a Motion to Suppress Evidence, which
8 were filed on September 9, 2024, filed reply briefs on October 7, 2024 and argued
9 the motions on October 21, 2024.

10 7. As set out in the Ex Parte Application for Continuance of Trial Date, I
11 had to file an action on behalf of a long standing client to address a theft of trade
12 secret/ corporate diversion of opportunities matter, which required more time than
13 expected in October, 2024.

14 8. In or about mid-September, my associate advised that he had opened a
15 law firm some months before and would be devoting less time to my firm's
16 litigation needs. His time has progressively been reduced to less than twenty
17 hours or less per week and was devoted to the MOWES trade secret matter and
18 less complex litigation cases. Mr. Slotter's winding down and departure to law
19 firm has resulted in significantly less resources for this case. This stands in stark
20 contrast to the resources provided by the Larson Law Firm.

21 9. Later in October, 2024, Mr. Cardiff unexpectedly experienced severe
22 medical symptoms that required that he receive medical testing, evaluation and
23 treatment while overseas in Dublin, Ireland. Counsel supplied the Court with
24 medical records for in camera review to substantiated the medical problems. On
25 November 15, 2024, the Court granted Mr. Cardiff's application and extended his
26 travel authorization for that purpose. Counsel is informed that further medical
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1 testing has confirmed that Mr. Cardiff's medical condition is serious. Counsel
2 will provide the Court with an update upon receipt of additional medical records.

3 10. On December 2, 2024, Counsel filed Defendant's Motion to Dismiss
4 Indictment Based on Double Jeopardy and a Motion to Dismiss Counts 3 and 4
5 based on *United States v. Aguilar*, 515 U.S. 593 (1995). Resolution of these
6 pretrial motions may result in dismissal and save the parties the time and expense
7 of a trial and will promote judicial economy.

8 11. The resolution of the *Dubin* motion potentially results in dismissal of
9 Counts 2 which will save the parties time and expense of trial and will promote
10 judicial economy.

11 12. Resolution of the Motion to Suppress Evidence will potentially limit
12 much of the evidence the Government intends to use at trial. This would save the
13 parties time and expense of trial and promote judicial economy.

14 13. Due to Mr. Cardiff's health condition, Mr. Slotter's departure from
15 the Firm, and magnitude of reviewing millions of documents and preparing an
16 exhibit list, trial motions to exclude evidence prior to the pretrial hearing, a
17 continuance is necessary to allow counsel to effectively prepare this case for trial.

18 14. On December 3, 2024, I conferred with AUSA Valerie Makerewicz
19 and DOJ Attorney Manu Sebastian about this request. In part, we discussed the
20 fact that we had set the hearing date for December 30, 2024. We understand that
21 this date falls within the Christmas season and have no wish to interfere with
22 anyone's holiday schedule. However, we were also concerned that delay of
23 hearing to January without an agreement on continuance by the Government would
24 cause severe prejudice to Defendant.

25 15. In the best interest of justice, Counsel requests a five-month
26 continuance until July, 2025.
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1 I declare under penalty of perjury under the laws of the United States of
2 America that the foregoing is true and correct.

3 Executed on this 4th day of December, 2024, at Houston, Texas.

4 /s/ Stephen R. Cochell
5 Stephen R. Cochell
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